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May 23, 2023

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The Honorable Taryn A. Merkl  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Marvel Characters, Inc. v. Solo, No. 1:21-cv-05316-NRM-TAM – Response to Order of May 22, 2023**

Dear Judge Merkl:

We write jointly on behalf of Marvel Characters Inc. (“MCI”), on the one hand, and Nanci Solo, Erik Colan, and Rachel Waldman, on the other, in response to the Court’s Order of May 22, 2023 directing the parties to submit a proposed summary judgment briefing schedule by May 26, 2023. We jointly advise that the parties now anticipate a dismissal of all claims in this action within the next thirty (30) days. To avoid the unnecessary expenditure of party and judicial resources, the parties respectfully request that the Court adjourn any deadlines relating to summary judgment for forty-five (45) days. To the extent that the case remains pending after such time, the parties respectfully propose that they submit a joint status report on July 7, 2023.

Respectfully submitted,

*/s/ Molly M. Lens*

*/s/ Marc Toberoff*

Molly M. Lens  
Of O'Melveny & Myers LLP  
for *Marvel Characters Inc.*

Marc Toberoff  
Of Toberoff & Associates PC  
for *Nanci Solo, Erik Colan, and Rachel Waldman*